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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-52_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-52_ is/are rejected.

7)☒ Claim(s) _38_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _28 September 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

Acknowledges

Receipt is acknowledged of the following items from the Applicant:

Information Disclosure Statement (IDS) filed on **09/28/2000** and made of record as **Paper No. 2,**

3, and 4. The references cited on the PTO 1449 form have been considered.

Claim Objections

Claim 38 is objected to because of typo error. At line 1, -T- is missing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 7-10, 13-15, 22, 23 and 52 are rejected under 35 U.S.C. 102(b) as being

anticipated by Theimer (US 5,627,517).

Regarding claim 1, Theimer discloses a method for shipping goods (See Figure 3,

Theimer et al), wherein the method comprises:

- receiving a request to ship an item from an origination to a final destination (See

  col. 4, lines 1-7);

- searching a database for a most inexpensive routing (See col. 9, lines 30-45),

  wherein the most inexpensive routing includes using two or more different

  shipping companies (See col. 9, lines 37-56) and one or more intermediate

  destinations (See col. 8, lines 16-20);

- generating a data file (See col. 8, lines 14-20) comprising at least the following:

    o intermediate destination information (See col. 8, lines 17-18), and

    o final destination information (See col. 8, lines 19-20); and

- storing the data file in a memory device that accompanies the item (See col. 8,

    lines 15-16).

Regarding claim 2, Theimer discloses the memory device is configured to allow the data

file to be updated at one or more of the intermediate destinations (See col. 8, lines 33-43).

Regarding claim 3, Theimer discloses packing the item in a container for shipping,

wherein the container is configured to fit with multiple other containers in a carrier (See col. 7,

lines 45-48).

Regarding claim 7, Theimer discloses shipping the item using the least expensive routing

(See col. 9, lines 50-56).

Regarding claim 8, Theimer discloses:

- packing the item in a container (See col. 7, lines 45-48);

- inserting the container in a first carrier with a first set of additional containers

    bound for a first of the one or more intermediate destinations (See col. 7, lines 45-

    48); and

- shipping the first carrier to the first intermediate destination (See col. 7, lines 64-

    67).

Regarding claim 9, Theimer discloses:

- receiving the carrier at the first intermediate destination (See col. 8, lines 20-22);

- removing the container from the carrier (See col. 8, lines 22-23);

- inserting the container into a different carrier with a second set of additional

  containers bound for a second intermediate destination or the final destination

  (See col. 8, lines 22-23); and

- shipping the second carrier to the second intermediate destination or the final

  destination (See col. 8, lines 23-24).

Regarding claim 10, Theimer discloses the data file further comprises contact information

for one or more shipping companies that will handle the item (See col. 7, lines 21-41).

Regarding claim 13, Theimer discloses the data file further comprises item handling

information (See col. 3, lines 28-39).

Regarding claim 14, Theimer discloses the data file further comprises item content

information (See col. 9, lines 12-15).

Regarding claim 15, Theimer discloses wherein the data file further comprises payment

information (See col. 10, lines 1-15).

Regarding claim 22, Theimer discloses the memory device is coupled to a wireless

communications device (See col. 6, line 63 to col. 7, line 5).

Regarding claim 23, Theimer discloses:

- detecting one or more obstacles to on-time delivery of the item, searching the

  database for a new least expensive routing that avoids the obstacles (See col. 9,

  lines 15-22); and

- updating the data file to reflect the new least expensive routing (See col. 9, lines

  23-28).

Regarding claim 52, Theimer discloses computer program embodied on a
computer-readable medium (See Figure 2), wherein the computer program is configured to:

- search a database of shipping information (See col. 9, lines 30-45) for an item to
  be shipped from an origination to a final destination (See col. 4, lines 1-7);

- select a shipping route for the item based on data from the database search (See
  col. 9, lines 52-56), wherein the shipping route comprises one or more
  intermediate destinations ((See col. 8, lines 16-20);

- generating a data file (See col. 8, lines 14-20) comprising at least the following:

  o a unique item identifier (See col. 6, line 41, Theimer et al.),

  o intermediate destination information (See col. 8, lines 17-18,
    Theimer et al.), and

  o final destination information (See col. 8, lines 19-20, Theimer et
    al.); and

- storing the data file in a storage device that accompanies the item (See col. 8,
  lines 15-16), wherein the storage device is configured to allow the data file to be
  updated at each intermediate destination (See col. 8, lines 33-43).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 4-6, 11-12, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Theimer (US 5,627,517).

Regarding claim 4, Theimer discloses all the claimed subject matter as set forth above.

However, Theimer is silent as to teaching forwarding copies of at least a portion of the data file

via the network to one or more of the parties involved in the shipping, wherein the parties

include at least an originator of the request to ship the item, a recipient of the item at the final

destination, and two or more shipping companies. Because the system of Theimer is a

distribution system (See Fig. 3, Theimer et al.), here must exist a network among parties.

Therefore, it would have been obvious to one of ordinary skill in the art to forward copies of the

data file in Theimer via the network to one or more of the parties in order to provide updated

information of items.

Regarding claim 5, Theimer discloses all the claimed subject matter as set forth above,

however, Thiemer is silent as to teaching forward copies of the data file via the network to one or

more predetermined email addresses. It would have been obvious to one of ordinary skill in the

art to forwarding copies of data file using email since email is the fastest way to communicate.

Regarding claim 6, Theimer discloses all the claimed subject matter as set forth above,

however, Thiemer is silent as to teaching forwarding a copy of the data file via the network to a

central server. Although Thiemer system is a decentralized tracking and routing system, it would

have been obvious to one of ordinary skill in the art to forwarding a copy of the data file to a

central server since having a copy of the data file on a central server will help parties to access

item shipping information quickly and conveniently.

Regarding claim 11, Theimer discloses all the claimed subject matter as set forth above, except Thiemer is silent as to teaching storing the data file on a server connected to the network, wherein the server provides access to the data file via the network. It would have been obvious to one of ordinary skill in the art to store the data file on a server in order for all parties to access item shipping information quickly and conveniently.

Regarding claim 12, Theimer discloses all the claimed subject matter as set forth above, except Theimer is silent as to teaching the data file further comprises item weight information. It would have been obvious to one of ordinary skill in the art to include item weight information in the data file of Theimer since having information on item weight helps shippers maintain capability of loading and packing items efficiently.

Regarding claim 16, Theimer discloses all the claimed subject matter as set forth above, except Theimer is silent as to teaching the data file further includes one or more digital images of the item before, during, or after shipping. It would have been obvious to one of ordinary skill in the art to include one or more digital images in the data file of Theimer since having images of item help identifying item easily.

Regarding claim 17, Theimer discloses all the claimed subject matter as set forth above, except Theimer is silent as to teaching the data file further includes one or more digital images of the item showing the physical condition of the item upon receipt at one or more intermediate destinations. It would have been obvious to one of ordinary skill in the art to have digital images of the item show the physical condition of the item upon receipt at one or more intermediate destinations in order to enhance shipping process and customers' satisfaction.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Theimer (US 5,627,517), in view of Welles (US 5,686,888).

Regarding claim 18, Theimer discloses all the claimed subject matter as set forth above,

however, Theimer is silent as to teaching the memory device further comprises a temperature

sensor, wherein the temperature sensor is configured to periodically measure and store

temperature readings in the data file. On the other hand, Welles discloses a temperature sensor

(See Fig. 4, temp sensor 110, and col. 5, lines 41, Welles et al.), wherein the temperature sensor

is configured to periodically measure and store temperature readings in the data file (See col. 6,

lines 29-34, Welles et al.). It would have been obvious to one of ordinary skill in the art to

include the temperature sensor of Welles in the memory device of Theimer, and to store

temperature readings in the data file. The motivation would have been to monitor environmental

effects on items.

Regarding claim 20, Theimer discloses all the claimed subject matter as set forth above,

however, Theimer is silent as to teaching the memory device further comprises an environmental

sensor, wherein the environmental sensor is configured to periodically measure and store in the

data file information about one or more environmental factors that the item experiences during

shipment. On the other hand, Welles discloses environmental sensor (See col. 5, lines 39-43,

Welles et al.), wherein the environmental sensor is configured to periodically measure and store

in the data file information about one or more environmental factors that the item experiences

during shipment (See col. 5, lines 41-47, Welles et al.). It would have been obvious to one of

ordinary skill in the art to include the environmental sensor of Welles in the memory device of

Theimer. The motivation would have been to monitor environmental effects on items.

Regarding claim 21, Theimer, discloses all the claimed subject matter as set forth above,

however, Theimer is silent as to teaching the memory device further comprises a vibration

sensor, wherein the vibration sensor is configured to record any vibrations greater than a

preprogrammed threshold in the data file. On the other hand, Welles discloses a vibration sensor

(See col. 6, lines 16-17, Welles et al.), wherein the vibration sensor is configured to record any

vibrations greater than a preprogrammed threshold in the data file (See col. 5, lines 57-61,

Welles et al.). It would have been obvious to one of ordinary skill in the art to include a

vibration sensor of Welles in the memory device of Theimer. The motivation would have been

to monitor environmental effects on items.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (US

5,627,517), in view of Wortham (US 5,999,091).

Regarding claim 19, Theimer, discloses all the claimed subject matter as set forth above,

however, Theimer is silent as to teaching the memory device further comprises a humidity

sensor, wherein the physical humidity sensor is configured to periodically measure and store

humidity readings in the data file. On the other hand, Wortham discloses a humidity sensor (See

Fig. 2, humidity sensor 48, Wortham et al.). It would have been obvious to one of ordinary skill

in the art to include humidity sensor of Welles in the memory device of Theimer to measure

humidity readings and to store readings in the data file. The motivation would have been to detect the humidity, which may effect items during shipping.

Claims 24-36, and 41-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (US 5,627,517), in view of Shavit (US 4,799,156).

Regarding claim 24, Theimer discloses a method for shipping goods (See Figure 3, Theimer et al), wherein the method comprises:

- receiving a request to ship an item from an origination to a final destination (See col. 4, lines 1-7, Theimer et al.);

- the shipping route comprises one or more intermediate destinations (See col. 8, lines 16-20, Theimer et al.);

- generating a data file (See col. 8, lines 14-20) comprising at least the following:

  o a unique item identifier (See col. 6, line 41, Theimer et al.),

  o origination information (See col. 8, lines 21-24, Theimer et al.),

  o intermediate destination information (See col. 8, lines 17-18, Theimer et al.), and

  o final destination information (See col. 8, lines 19-20, Theimer et al.); and

- storing the data file in a memory device that accompanies the item (See col. 8, lines 15-16, Theimer et al.), wherein the memory device is configured to allow the data file to be updated at one or more of the intermediate destinations (See col. 8, lines 33-43, Theimer et al.).

However, Theimer is silent as to teaching:

- soliciting quotations for shipping the item by transmitting a request for quotation via a network;

- receiving responses to the request for quotation via the network;

- selecting a shipping route for the item based on the responses;

- confirming the selected shipping route via the network;

On the other hand, Shavit discloses:

- soliciting quotations for shipping the item by transmitting a request for quotation via a network (See col. 16, lines 54-56, Shavit et al.);

- receiving responses to the request for quotation via the network (See col. 16, lines 56-60, Shavit et al.);

- selecting a shipping route for the item based on the responses (See col. 17, lines 10-21, Shavit et al.)

- confirming the selected shipping route via the network (See col. 17, lines 15-16, shavit et al.);

It would have been obvious to one of ordinary skill in the art to include the steps of soliciting quotations for shipping the items, receiving responses, selecting a shipping route and confirming the selected shipping route of Shavit in the shipping and tracking system of Theimer. The motivation would have been to choose the best shipping route for suppliers.

Regarding claim 25, Theimer, in view of Shavit, discloses all the claimed subject matter as set forth above. However, Theimer/Shavit is silent as to teaching forwarding copies of at least a portion of the data file via the network to one or more of the parties involved in the shipping, wherein the parties include at least an originator of the request to ship the item, a recipient of the

item at the final destination, and two or more shipping companies. Because the system of

Theimer is a distribution system (See Fig. 3, Theimer et al.), it must exist in a network among

parties. Therefore, it would have been obvious to one of ordinary skill in the art to forward

copies of the data file via the network to one or more of the parties in order to provide updated

information of items.

Regarding claim 26, Theimer, in view of Shavit, discloses all the claimed subject matter

as set forth above. However, Thiemer/Shavit is silent as to teaching forwarding copies of the

data file via the network to one or more predetermined email addresses. It would have been

obvious to one of ordinary skill in the art to forward copies of data file in Theimer/Shavit using

email since email is the fastest way to communicate.

Regarding claim 27, Theimer, in view of Shavit, discloses all the claimed subject matter

as set forth above. However, Thiemer/Shavit is silent as to teaching forwarding a copy of the

data file via the network to a central server. Although the Thiemer/Shavit system is a

decentralized tracking and routing system, it would have been obvious to one or ordinary skill in

the art to forward a copy of the data file to a central server since having a copy of the data file on

a central server will help parties to access item shipping information quickly and conveniently.

Regarding claim 28, Theimer, in view of Shavit, discloses updating the data file on the

central server to reflect the item's arrival at one or more of the intermediate destinations (See col.

8, lines 33-43, Theimer et al.).

Regarding claim 29, Theimer, in view of Shavit, discloses the data file further comprises

contact information for one or more shipping companies that will handle the item (See col. 7,

lines 21-41, Theimer et al.).

Regarding claim 30, Theimer, in view of Shavit, discloses all the claimed subject matter as set forth above. However, Thiemer/Shavit is silent as to teaching storing the data file on a server connected to the network, wherein the server provides access to the data file via the network, it would have been obvious to one of ordinary skill in the art to store the data file on a server in order for all parties to access item shipping information quickly and conveniently.

Regarding claim 31, Theimer, in view of Shavit, discloses all the claimed subject matter as set forth above. However, Theimer/Shavit is silent as to teaching the data file further comprises item weight information. It would have been obvious to one of ordinary skill in the art to include item weight information in the data file of Theimer/Shavit since having information on item weight helps shippers maintain capability of loading and packing items efficiently.

Regarding claim 32, Theimer, in view of Shavit, discloses the data file further comprises item handling information (See col. 3, lines 28-39, Theimer et al.).

Regarding claim 33, Theimer, in view of Shavit, discloses the data file further comprises item content information (See col. 9, lines 12-15, Theimer et al.).

Regarding claim 34, Theimer, in view of Shavit, discloses wherein the data file further comprises payment information (See col. 10, lines 1-15, Theimer et al.).

Regarding claim 35, Theimer, in view of Shavit, discloses all the claimed subject matter as set forth above. However, Theimer/Shavit is silent as to teaching the data file further includes one or more digital images of the item before, during, or after shipping. It would have been obvious to one of ordinary skill in the art to includes one or more digital images in the data file of Theimer/Shavit since having images of item help identifying item easily.

Regarding claim 36, Theimer, in view of Shavit, discloses all the claimed subject matter as set forth above. However, Theimer/Shavit is silent as to teaching the data file further includes one or more digital images of the item showing the physical condition of the item upon receipt at one or more intermediate destinations. It would have been obvious to one of ordinary skill in the art to having digital images of the item showing the physical condition of the item upon receipt at one or more intermediate destinations in order to enhance shipping process and customers' satisfaction.

Regarding claims 41 and 42, Theimer, in view of Shavit, discloses the memory device is a flash memory device and the memory device is a CD-RW when Theimer shows an active memory, which associated with microprocessor (See col. 8, lines 15-16, Theimer et al.). The memory in Theimer system clearly includes a flash memory device and CD_RW.

Regarding claim 43, Theimer, in view of Shavit, discloses the memory device is coupled to a wireless communications device (See col. 6, line 63 to col. 7, line 5, Theimer et al.).

Regarding claim 44, Theimer, in view of Shavit, discloses the responses include price information and delivery time information (See col. 26, lines 5-9, Shavit et al.).

Regarding claim 45, Theimer, in view of Shavit, discloses:

- detecting one or more obstacles to on-time delivery of the item (See col. 9, lines 15-22, Theimer et al.); Although Theimer, in view of Shavit, does not explicitly disclose soliciting new quotations for shipping the item from one of the intermediate locations to the final destination by transmitting a supplemental request for quotation via the network, however, it is well known in the art as

shown by Shavit to soliciting quotations for shipping the item (See col. 16, lines 54-56, Shavit et al.). Therefore, it would have bee n obvious to one of ordinary shill in the art to include the claimed feature of Shavit to soliciting new quotations from one of the intermediate locations to the final destination; and receiving responses to the supplemental request for quotation via the network (See col. 16, lines 56-60, Shavit et al.) as claimed above in claim 24. The motivation would have been to provide alternative route for shipping the item at the intermediate locations so that providing best shipping services;

- selecting an alternate shipping route for the item based on the additional responses (See col. 17, lines 10-21, Shavit et al.);

- confirming the selected alternate shipping route via the network (See col. 17, lines 15-16, Shavit et al.);

Regarding claim 46, Theimer, in view of Shavit, discloses the obstacles include travel advisories for one or more of the intermediate locations (See col. 18, lines 19-22, Shavit et al.).

Regarding claim 47, Theimer, in view of Shavit, discloses the obstacles include shipping backlogs (See col. 9, lines 28-33, Theimer et al.).

Regarding claim 48, Theimer, in view of Shavit, discloses updating the data file to reflect the selected alternate shipping routing (See col. 9, lines 23-28, Theimer et al.).

Regarding claim 49, Theimer, in view of Shavit, do not explicitly discloses updating the data file on the server to reflect the item's arrival at the final destination. However, it's well known in the art to updating data file on the server to reflect the item's arrival at the final destination in order to provide up to date information to all parties.

Regarding claim 50, Theimer, in view of Shavit, discloses a computer program is configured to:

- searching a database for a most inexpensive routing (See col. 9, lines 30-45), wherein the most inexpensive routing includes using two or more different shipping companies (See col. 9, lines 37-56) and one or more intermediate destinations (See col. 8, lines 16-20);

- receive a shipping request for an item to be shipped from an origination to a final destination (See col. 4, lines 1-7);

- search a database of shipping information (See col. 9, lines 30-45);

- selecting a shipping route for the item based on the responses, wherein the shipping route comprises one or more intermediate destinations and uses two or more different shipping companies as addressed in claimed subject matter as set forth above in claim 24;

- confirm the selected shipping route via a network as addressed in claimed subject matter as set forth above in claim 24;

- generate a data file, as addressed in claimed subject matter as set forth above in claim 24, comprising at least the following:

  a unique item identifier,

  origination information,

  intermediate destination information, and

  final destination information; and

- store the data file in a memory device that accompanies the item, wherein the

  memory device is configured to allow the data file to be updated at one or more of

  the intermediate destinations addressed in claimed subject matter as set forth

  above in claim 24.

Regarding claim 51, Theimer, in view of Shavit, discloses maintaining and updating the

database by sending requests for quotes using the network (See col. 40, claim 33, line 11, Shavit

et al.).

Claims 37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Theimer (US 5,627,517), in view of Shavit (US 4,799,156), and further in view of Welles (US

5,686,888).

Regarding claim 37, Theimer, in view of Shavit, discloses all the claimed subject matter

as set forth above, however, Theimer/Shavit is silent as to teaching the memory device further

comprises a temperature sensor, wherein the temperature sensor is configured to periodically

measure and store temperature readings in the data file. On the other hand, Welles discloses a

temperature sensor (See Fig. 4, temp sensor 110, and col. 5, lines 41, Welles et al.), wherein the

temperature sensor is configured to periodically measure and store temperature readings in the

data file (See col. 6, lines 29-34, Welles et al.). It would have been obvious to one of ordinary

skill in the art to include the temperature sensor of Welles in the memory device of

Theimer/Shavit, and to store temperature readings in the data file. The motivation would have

been to monitor environmental effects on items.

Regarding claim 39, Theimer, in viet of Shavit, discloses all the claimed subject matter as

set forth above in claim 24, however, Theimer is silent as to teaching the memory device further

comprises an environmental sensor, wherein the environmental sensor is configured to measure

and store in the data file information about one or more environmental conditions experienced by

the item during shipment that exceed one or more predetermined thresholds. On the other hand,

Welles discloses environmental sensor (See col. 5, lines 39-43, Welles et al.), wherein the

environmental sensor is configured to measure and store in the data file information about one or

more environmental conditions experienced by the item during shipment (See col. 5, lines 41-47,

Welles et al.) that exceed one or more predetermined thresholds (See col. 6, lines 31-34, Welles

et al.). It would have been obvious to one of ordinary skill in the art to include the

environmental sensor of Welles in the memory device of Theimer, in view of Shavit. The

motivation would have been to monitor environmental effects on items.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (US

5,627,517), in view of Shavit (US 4,799,156), and further in view of Wortham (US 5,999,091).

Regarding claim 38, Theimer, in view of Shavit, discloses all the claimed subject matter

as set forth above, however, Theimer/Shavit is silent as to teaching the memory device further

comprises a humidity sensor, wherein the physical humidity sensor is configured to periodically

measure and store humidity readings in the data file. On the other hand, Wortham discloses a

humidity sensor (See Fig. 2, humidity sensor 48, Wortham et al.). It would have been obvious to

one of ordinary skill in the art to include humidity sensor of Welles in the memory device of

Theimer/Shavit to measure humidity readings and to store readings in the data file. The

motivation would have been to detect the humidity, which may affect items during shipping.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ross U.S Patent No. 6,332,098 discloses methods for shipping freight.

Caveney U.S Patent No. 5,038,283 discloses shipping method.

Woolley U.S Patent No. 5,959,568 discloses measuring distance.

Liaw U.S Patent No. 5,712,788 discloses incremental route calculation.

Khowles U.S Patent No. 6,321,992 discloses internet-based system and method for tracking objects bearing url_encoded bar code symbols.

Pool U.S Patent No. 6,460,020 discloses universal shopping center for international operation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 703-305-5177. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MN
November 4, 2002

Mn

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